

REMARKS

The statement by the Examiner that claims 2, 3, 5 and 6 contain allowable subject matter is gratefully acknowledged by the Applicant.

Claims 1-4 have been amended. Claims 1-6 are pending in the present application. Applicant reserves the right to pursue the original claims and other claims in this application and in other applications.

The drawings stand objected to because the Office Action states that FIG. 6 has various informalities that need correction. Pursuant to the Examiner's request, FIG. 6 has been corrected as suggested as evidenced by the attached drawing sheet containing FIG. 6. In addition, Applicant noted that reference numeral 4016, described in the specification at page 46, lines 6-16, was missing from FIG. 16. Accordingly, Applicant is submitting a drawing sheet containing FIGS. 15 and 16, which contains the reference numeral 4016. No new matter has been added to the drawings. Applicant respectfully requests that the attached drawing sheets be accepted and that the objection be withdrawn.

The Examiner has requested a new title. The title has been amended to read DATA RECORDING CLOCK SIGNAL GENERATOR FOR GENERATING A RECORDING CLOCK SIGNAL FOR RECORDING DATA ON A RECORDABLE MEDIUM. Approval of the new title is respectfully solicited.

The specification stands objected to because the Office Action states that there are various informalities that need correction. The specification has been amended in light of the Examiner's concerns. The amendments address the concerns raised in the Office Action. Moreover, Applicant has amended the specification to correct a minor typographical error on page 6. No new matter has been introduced by the amendments

to the specification. Accordingly, Applicant respectfully submits that the objection should be withdrawn.

Claims 5 and 6 stand objected to, but are otherwise allowable. The Office Action states that in claim 5 the language "a wobble signal cycle counting unit that counts cycles of the divided wobble signal by the cycle of the recording clock signal" is incorrect. The Office Action refers to page 43, line 17 for the proposition that the claim should read "a divided recording clock counting unit that counts cycles of the divided recording clock by the divided wobble signal."

Applicant respectfully traverses this objection and submits that support for the claim 5 "wobble signal cycle counting unit" is found in the specification at page 44, line 1-4, which states in reference to Figure 15, "As a result, the register 4013 is loaded with the value obtained by counting the cycles of the divided wobble signal by the cycle of the recording clock signal." Accordingly, Applicant respectfully requests that the objection to claims 5 and 6 be withdrawn and that the claims be allowed.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Saito, U.S. Patent No. 5,377,178. The rejection is respectfully traversed.

Claim 1 recites a "data recording clock signal generator that generates a recording clock signal synchronous with a wobble signal used for recording data on an optical disk." The generator includes a recording clock signal generating unit that generates the recording clock signal having a frequency controlled in accordance with the frequency control signal generated by the frequency control signal generator. According to claim 1, "a phase relationship between the wobble signal and the recording clock signal can be changed by a unit smaller than one clock cycle of the recording clock signal."

Applicant respectfully submits that Saito fails to disclose the claimed data recording clock signal generator. Specifically, Saito fails to disclose a generator that has the ability to change a phase relationship between the wobble signal and the recording clock signal by a unit smaller than one clock cycle of the recording clock signal. In fact, Saito does not disclose changing the phase relationship between the wobble signal and the recording clock signal by any unit. As such, the claimed invention is patentable over Saito. The rejection should be withdrawn and claim 1 allowed.

Claim 4 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Fushima, U.S. Patent No. 6,088,307. The rejection is respectfully traversed.

Claim 4 recites a "A data recording clock signal generator that generates a recording clock signal synchronous with a wobble signal used for recording data on an optical disk having a data recording track wobbled by the wobble signal, which has predetermined frequency components, and on which address information and a synchronizing signal are phase-modulated and superimposed." The generator includes "a phase difference signal generating unit that generates a phase difference signal as a result of a phase comparison between the wobble signal and the divided clock signal." According to claim 4, a masking unit "prevents the phase difference signal generating unit from generating the phase difference signal at any timing when either the address information or the synchronizing signal is phase-modulated on the optical disk."

Applicant respectfully submits that Fushimi fails to disclose the invention recited in claim 4. Specifically, Fushimi fails to disclose "a masking unit that prevents the phase difference signal generating unit from generating the phase difference signal at any timing when either the address information or the synchronizing signal is phase-modulated on the optical disk." The portion of the Fushimi patent relied on in the Office Action relates to modifying feedback signals when processing an information

portion of a disc that does not include a wobble signal. The modification is based on the portion of the disc being read and is not based on whether address information or synchronizing signal is phase-modulated on the optical disk as recited in claim 4. Accordingly, claim 4 is believed to be allowable over Fushimi. The rejection should be withdrawn and claim 4 allowed.

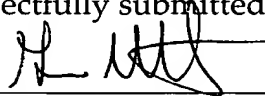
Claims 2-3 stand objected to as being dependent upon a rejected base claim, but are otherwise allowable. Claims 2-3 have been rewritten as independent claims including their respective base claims pursuant to the Examiner's recommendation. As such, claims 2-3 are allowable. The objection should be withdrawn and claims 2-3 allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Dated: December 18, 2003

Respectfully submitted,

By



Gianni Minutoli

Registration No.: 41,198

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant